

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

CSX TRANSPORTATION, INC.,	)	
	)	
<i>Plaintiff,</i>	)	
	)	Case No. 1:06-cv-109
v.	)	
	)	Judge Mattice
TENNESSEE MINERALS, LLC,	)	
	)	
<i>Defendant.</i>	)	

**ORDER**

United States Magistrate Judge Susan K. Lee filed her report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). [Court Doc. No. 13.] No objections were filed within the given 10 days.

After reviewing the record, the Court agrees with Magistrate Judge Lee's report and recommendation. The Court thus **ACCEPTS** and **ADOPTS** Magistrate Judge Lee's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b).

Accordingly, the Court **ORDERS** that Plaintiff CSX Transportation, Inc. shall be awarded damages in the amount of \$475,708.00.

The Clerk is directed to close the file in this case.

SO ORDERED this 12th day of April, 2007.

/s/Harry S. Mattice, Jr.  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE